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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 09-0583 CRB
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME BETWEEN
v.)	JUNE 10, 2009 AND JUNE 24, 2009 June 18, 2009
)	FROM CALCULATIONS UNDER THE
JOSE FRANCISCO OLMOS-LOPEZ,)	SPEEDY TRIAL ACT (18 U.S.C. § 3161)
a/k/a JOSE FRANCISCO LOPEZ,)	
a/k/a FRANCISCO OLMOS,)	
a/k/a ESPITIA NOE HERNANDEZ,)	
a/k/a NOE ESPITIA HERNANDEZ,)	
a/k/a ARMANDO TELLEZ BARRON,)	
)	
Defendant.)	

The defendant, Jose Francisco Olmos-Lopez, represented by Shawn Halbert, Assistant Federal Public Defender, and the government, represented by Cynthia M. Frey, Assistant United States Attorney, appeared before this Court on June 10, 2009 for a status conference. This matter was continued to June 24, 2009 for a further status conference.

The parties agreed that time be excluded under the Speedy Trial Act between June 10, 2009 and June 24, 2009 for purposes of continuity of and effective preparation of counsel, in

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STIPULATION AND ~~[PROPOSED]~~ ORDER EXCLUDING TIME
CR No. 09-0583 CRB

1 order to provide defense counsel with adequate time to review the discovery and consult with the
2 defendant.

3 In addition, the defendant agrees to exclude for this period of time any time limits
4 applicable under 18 U.S.C. § 3161. The parties represent that granting the continuance, in order
5 to provide defense counsel with adequate time to review the discovery and consult with the
6 defendant, is necessary for continuity of defense counsel and effective preparation, taking into
7 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that
8 the ends of justice served by granting such a continuance outweigh the best interests of the
9 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10
11 SO STIPULATED:

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14
15 DATED: June 10, 2009

16 /s/
CYNTHIA M. FREY
Assistant United States Attorney

17
18 DATED: June 10, 2009

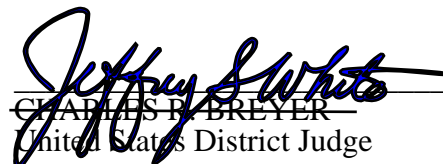
19 /s/
SHAWN HALBERT
Attorney for JOSE FRANCISCO OLMOS-LOPEZ

This matter has been reassigned to the undersigned and set for a hearing on June 18, 2009. It is HEREBY ORDERED that,

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between June 10, 2009 and ~~June 24, 2009~~ ^{June 18, 2009} would unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between June 10, 2009 and ~~June 24, 2009~~ ^{June 18, 2009} from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between June 10, 2009 and ~~June 24, 2009~~ ^{June 18, 2009} shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: June 12, 2009


~~CHARLES B. BREYER~~
United States District Judge
Jeffrey S. White